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CONSTITUTION AND BY-LAWS OF THE

MANCHESTER BAND OF POMO INDIANS OF THE MANCHESTER

RANCHERIA

We, the people of the Manchester Rancheria, in order to establish a legal rancheria organization and secure certain privileges and powers offered to us by the Indian Reorganization Act, do ordain and establish this Constitution and By-laws for the Manchester Band of Pomo Indians of the Manchester Rancheria.

ARTICLE I - Territory

The jurisdiction of the Manchester Band of Pomo Indians shall extend to the territory within the confines of the Manchester Rancheria, and to such other lands as may hereafter be added thereto under any law of the United States, except as otherwise provided by law.

ARTICLE II- Membership

Section 1. The membership of the Manchester Band of Pomo Indians shall consist of:

(a) All persons of Indian blood whose names appear on the official census rolls of the Band as of April 1, 1935;

(b) All children born to any member of the Band who is a resident of the Rancheria at the time of the birth of said children.

Section 2. The Community Council shall have the power to promulgate ordinances, subject to review by the Secretary of the Interior, covering future membership and the adoption of new members, when the resources of the Band make such adoptions feasible.

ARTICLE III- Governing Body

Section 1. The governing body of the Manchester Band of Pomo Indians shall be the Community Council which shall be composed of all qualified voters of the Band. A majority of the eligible voters shall constitute a quorum.

Section 2. All enrolled members of the Manchester Band of Pomo Indians who are 21 years of age or over, and who have maintained legal residence on the Rancheria for a period of one year immediately prior to any election, are qualified voters at such election. Such residence, however, shall not be required as a qualification for voting upon amendments to the Constitution and attached By-laws.

Section 3. The Community Council shall elect from its own members, by secret ballot, (a) chairman; (b) vice-chairman; (c) secretary; (d) treasurer; (e) and such other officers and committees as may be deemed necessary.

Section 4. The Community Council shall meet on the first Monday of January and July.

Section 5. Within thirty (30) days after the ratification and approval of this Constitution and By-laws, a Community Council shall be held for the purpose of electing the officers named herein, and it may transact such other business as may be necessary. The officers elected at this meeting shall serve until the July meeting at which time their successors shall be chosen. Thereafter, officials shall be chosen at the July meeting.

Section 6. The chairman, or 25% of the qualified voters, may, by written notice, call special meetings of the Community Council.

Section 7. The business committee shall consist of the chairman, secretary, and treasurer of the Community Council, and shall perform such duties as may be authorized by that Council.

ARTICLE IV- Powers of the Community Council

Section 1. Enumerated Powers.- The Community Council of the Manchester band of Pomo Indians shall exercise the following powers, subject to any limitations imposed by the statutes or the Constitution of the United States:

(a) To negotiate with the Federal, State and local governments;

(b) To employ legal counsel, the choice of counsel and fixing of fees to be subject to the approval of the Secretary of the Interior;

(c) To veto any sale, disposition, lease or encumbrance of tribal lands, interests in lands, or other tribal assets of the Band;

(d) To advise the Secretary of the Interior with regard to all appropriation estimates or Federal projects for the benefit of the Manchester Rancheria prior to the submission of such estimates to the Bureau of the Budget and to Congress;

(e) To manage all economic affairs and enterprises of the Manchester Band of Pomo Indians in accordance with the terms of a charter that may be issued to the Band by the Secretary of the Interior;

(f) To promulgate and enforce ordinances, which shall be subject to review by the Secretary of the Interior, governing the conduct of members of the Manchester Band of Pomo Indians, providing for the manner of making, holding and revoking assignments of tribal land or interests therein, providing for the levying of taxes and the appropriation of available tribal funds for public purposes, providing for the licensing of non-members coming upon the Rancheria for purposes of hunting, fishing, trading, or other business, and for the exclusion from the territory of the Band, of persons not so licensed, and establishing proper agencies for the enforcement of such ordinances upon the Manchester Rancheria;

(g) To charter subordinate organizations for economic purposes and to delegate to such organizations, or to any subordinate boards or officials of the Band, any of the foregoing powers, reserving the right to review any action taken by virtue of such delegated power;

(h) To adopt resolutions not inconsistent with this Constitution and the attached By-Laws, regulating the procedure of the Council itself and of other tribal agencies, tribal officials, or tribal organizations of the Manchester Rancheria.

Section 2. Future Powers - The Community Council may exercise such further powers as may in the future be delegated to the Council by members of the Band or by the Secretary of the Interior or any other duly authorized official or agency of the State or Federal Government.

Section 3. Reserved Powers - Any rights and powers heretofore vested in the Manchester Band of Pomo Indians, but not expressly referred to in this Constitution shall not be abridged by this Article, but may be exercised by the people of the Manchester Band of Pomo Indians through the adoption of appropriate by-laws and constitutional amendments.

Section 4. Manner of Review - Any resolution or ordinance which by the terms of this Constitution, is subject to review by the Secretary of the Interior, shall be presented to the superintendent in charge of the Rancheria, who shall, within ten (10) days thereafter, approve or disapprove the same.

If the superintendent shall approve any ordinance or resolution, it shall thereupon become effective, but the superintendent shall transmit a copy of the same, bearing his endorsement, to the Secretary of the Interior, who may, within 90 days from the date of enactment, rescind the said ordinance or resolution for any cause, by notifying the Community Council of such decision.

If the superintendent shall refuse to approve any ordinance or resolution submitted to him, within ten (10) days after its enactment, he shall advise the Community Council of his reasons therefor.

If these reasons appear to the Council insufficient, it may, by a majority vote, refer the ordinance or resolution to the Secretary of the Interior, who may, within 90 days from the date of its enactment, approve the same in writing, whereupon the said ordinance or resolution shall become effective.

ARTICLE V- Amendments

Section 1. This Constitution and By-laws may be amended by a majority vote of the qualified voters of the Band voting at an election called for that purpose by the Secretary of the Interior, provided that at least 30 per cent of those entitled to vote shall vote in such election; but no amendment shall become effective until it shall have been approved by the Secretary of the Interior.

Section 2. At any regular or special community council meeting, amendments to this Constitution and By-laws may be proposed, to be acted upon at the next semi-annual community council meeting. If approved by a majority vote at such meeting, the proposed amendment shall be submitted to the Secretary of the Interior who shall thereupon call an election upon the proposed amendment.

BY-LAWS

ARTICLE 1. Each officer elected or appointed hereunder shall take an oath of office prior to assuming the duties thereof, by which oath he shall pledge himself to support and defend the Constitution of the United States and this Constitution and By-laws.

Oath: I, _____, do solemnly swear that I will support and defend the Constitution of the United States against all enemies; that I will carry out, faithfully and impartially, the duties of my office to the best of my ability; that I will cooperate, promote and protect the best interests of my Band in accordance with this Constitution and By-laws.

ARTICLE 2. It shall be the duty of the Community Council and each member thereof to promote the general welfare of the members of this Band and to carry out the provisions and purposes of this Constitution and By-laws.

ARTICLE 3. It shall be the duty of the Chairman to preside over all meetings of the Community Council and carry out all orders of the Council. All members of the Council and all subordinate officers shall assist the Chairman in all proper ways to carry out the orders of the Council.

ARTICLE 4. The Community Council Secretary shall keep a full report of all proceedings of each regular and special meeting of the Community Council and of the Business Committee, and shall perform such other duties of like nature as the Community Council shall from time to time by resolution provide, and shall transmit copies of the minutes of each meeting to the Superintendent in charge of the Rancheria, and to the Commissioner of Indian Affairs.

ARTICLE 5. The Community Council Treasurer shall be the custodian of all moneys which may come under the jurisdiction or into the control of the Community Council. He shall pay out money in accordance with the orders and resolutions of the Community Council. He shall keep account of all receipts and disbursements and shall report the same to the Community Council at each regular meeting. He shall be bonded in such an amount as the Community Council may by resolution, approved by the Commissioner of Indian Affairs, provide. The books of the Council Treasurer shall be subject to audit or inspection at the direction of the Community Council, or the Commissioner of Indian Affairs. Until the Treasurer is bonded, the Business Committee may make such provision for the custody and disbursement of funds as shall guarantee their safety and proper disbursement and use.

ARTICLE 6. The subordinate officers of the Community Council shall perform such duties as the Community Council may from time to time provide by resolution.

ARTICLE 7. The order of business at any regular or special meeting of the Community Council shall be as follows:

1. Council called to order.
2. Roll call.
3. Reading of minutes of previous meeting.
4. Reports of Committees.
5. Report of the Council Treasurer.
6. Reading of communications.
7. Unfinished business.
8. New business.
9. Adjournment.

ARTICLE 8. Ratification of Constitution and By-laws - This Constitution and By-laws, when adopted by a majority vote of the voters of the Manchester Band of Pomo Indians, voting at a special election called by the Secretary of the Interior, in which at least 30 per cent of those entitled to vote shall vote, shall be submitted to the Secretary

CERTIFICATION OF ADOPTION

Pursuant to an order, approved JANUARY 15,1936, by the Secretary of the Interior, the attached Constitution and By-laws was submitted for ratification to the adult Indians residing on the Manchester Rancheria and was on February 8,1936, duly approved by a vote of 33 for, and 4 against, in an election in which over 30 per cent of those entitled to vote cast their ballots, in accordance with section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984), as amended by the Act of June 15, 1935 (Pub. No. 147- 74th Cong.)

Sidney Parrish
Chairman of Election Board

Stew Parrish
Secretary of Election Board

Roy Nash
Superintendent in Charge of the Rancheria

I, Harold L. Ickes, the Secretary of the Interior of the United States of America, by virtue of the authority granted me by the act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Constitution and By-laws of the Manchester Band of Pomo Indians of the Manchester Rancheria.

All rules and regulations heretofore promulgated by the Interior Department or by the Office of Indian Affairs, so far as they may be incompatible with any of the provisions of the said Constitution or By-laws are hereby declared inapplicable to the Manchester Band of Pomo Indians of the Manchester Rancheria.

All officers and employees of the Interior Department are ordered to abide by the provisions of the said Constitution and By-laws.

Approval recommended:

William Zimmerman Jr.
Commissioner of Indian Affairs.

Washington, D.C.,

MAR 11 1938

Clarence West
Acting Secretary of the Interior.

AMENDMENT
CONSTITUTION AND BY-LAWS
of the
MANCHESTER BAND OF POMO INDIANS OF THE
MANCHESTER RANCHERIA

That an article be added to the Constitution, as follows:

ARTICLE VI

Section 1. Any officer who may resign, die, or be removed from office, shall be replaced only at a regular election or at a special election of the Community Council.

Section 2. Any officer convicted of a felony or misdemeanor involving dishonesty in any Federal, State or Indian Court may be removed from office by a majority vote of the Community Council.

Section 3. The Community Council may, by a majority vote, expel any officer of the Council for neglect of duty or gross misconduct; Provided, That the accused shall be given an opportunity to answer any and all charges at a designated Council meeting. The decision of the Council shall be final.

I, Oscar L. Chapman, the Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Amendment adding a new Article VI to the Constitution and By-laws of the Manchester Band of Pomo Indians of the Manchester Rancheria.

Approval recommended: MAY 22 1939

Fred H Daiker

ASSISTANT TO THE Commissioner.

Oscar L Chapman

Assistant Secretary of the Interior.

SEAL

Washington, D. C.

MAY 27 1939

Amend II

AMENDMENT—CONSTITUTION AND BYLAWS OF THE MANCHESTER BAND OF POMO INDIANS OF THE MANCHESTER RANCHERIA

AMENDMENT.

1. That the last line of Section 1, Article III of the Constitution and Bylaws be amended to read:

"Thirty percent of the eligible voters shall constitute a quorum."

2. That Section 4, Article III of the Constitution and Bylaws be amended to read:

"The general community council shall meet on the second Friday of November and April."

3. That the second sentence in Section 5, Article III of the Constition and Bylaws be deleted in its entirety.

4. That the last line of Section 5, Article III of the Constitution and Bylaws be amended to read:

"Thereafter, officials shall be chosen at the November meeting."

CERTIFICATION OF ADOPTION

Pursuant to an order, approved April 13, 1940, by the Assistant Secretary of the Interior, the attached Amendment to the Constitution and By-laws of the Manchester Band of Pomo Indians of the Manchester Rancheria was submitted for ratification to the qualified voters of the Community, and on May 18, 1940, the Amendment was adopted by a vote of 13 for and 3 against, in an election in which more than 30 per cent of those entitled to vote cast their ballots in accordance with section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984) as amended by the Act of June 15, 1935 (49 Stat. 378).

STEVE PARRISH,
Chairman, Manchester Community Council.
FRANCES LAIWA,
Secretary, Manchester Community Council.

ROY NASH,
Superintendent, Sacramento Agency.

I, Oscar L. Chapman, the Assistant Secretary of the Interior of the United States of America, by virtue of the authority granted me by the Act of June 18, 1934 (48 Stat. 984), as amended, do hereby approve the attached Amendment to the Constitution and By-laws of the Manchester Band of Pomo Indians of the Manchester Rancheria.

Approval recommended: July 10, 1940.

F. H. DAIKER,
Assistant to the Commissioner.

OSCAR L. CHAPMAN,
Assistant Secretary.
[SEAL]

WASHINGTON, D. C., *July 12, 1940.*

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U. S. GOVERNMENT PRINTING OFFICE: 1941

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
MANCHESTER BAND OF POMO INDIANS
OF THE MANCHESTER RANCHERIA
CALIFORNIA

AMENDMENT III

Section 1, Article II - Membership - shall be amended in its entirety to read as follows:

Section 1. The membership of the Manchester Band of Pomo Indians shall consist of:

(a) Those living persons of Indian blood whose names appear on the "Approved List of Voters for the Constitution at the Manchester Rancheria" approved January 25, 1936 by Roy Nash, Superintendent, Sacramento Indian Agency.

(b) Those living persons of Indian blood whose names appear on the "Approved List of Children on the Manchester Rancheria (under 21), 1935-1936" approved by the Community Council, November 14, 1936.

(c) All living descendants of people eligible for membership under Section 1(a) or 1(b) above, regardless of whether the ancestor through whom eligibility is claimed is living or deceased.

Approval

I, WILLIAM E. FINALE, Area Director, of the Sacramento Area Office, Bureau of Indian Affairs, by virtue of the authority granted to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended, delegated to the Commissioner of Indian Affairs by 230 DM 1.1 and redelegated to me by 10 BIAM 3 do hereby approve the foregoing Amendment III to the Constitution and Bylaws of the Manchester Band of Pomo Indians of the Manchester Rancheria, California.

William E. Finale
Area Director

Sacramento, California

Date: SEP 18 1975

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
MANCHESTER-POINT ARENA BAND OF POMO INDIANS
OF THE MANCHESTER-POINT ARENA RANCHERIA
CALIFORNIA

AMENDMENT IV

Article III, Section 5 - GOVERNING BODY - shall be amended to read as follows:

> Section 5. Within thirty (30) days after the ratification and approval of this Constitution and Bylaws, a Community Council meeting shall be held for the purpose of electing the officers named herein, and it may transact such other business as may be necessary. Thereafter, officials shall be chosen every two (2) years at the November meeting.

AMENDMENT
CONSTITUTION AND BYLAWS
OF THE
MANCHESTER-POINT ARENA BAND OF POMO INDIANS
OF THE MANCHESTER-POINT ARENA RANCHERIA
CALIFORNIA

AMENDMENT V

Article III, Section 2 - GOVERNING BODY - shall be amended in its entirety to read as follows:

Section 2. All enrolled members who are 18 years of age or over, who have maintained legal residence on the Rancheria for a period of six (6) months. Residency shall be defined as residing 6 months on the Rancheria, prior to any election. Members who have established their 6 months residency would retain their residency voting rights, should they leave the Rancheria for any of the following reasons.

1. Military duty.

2. Full or part time students who are furthering their education.

3. Vacations or extended vacations.

4. To seek employment.

5. Medical reasons.

6. Correctional facility.

Such residence, however, shall not be required as a qualification for voting upon amendments to the Constitution and attached Bylaws.

Tribal Operations
076.2 Manchester

SEP 1 8 1981

Mr. Richard H. Burcell

Superintendent, Central California Agency

Dear Mr. Burcell:

We have received the results of the election held on September 12, 1981, by the qualified voters of the Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria. The election was called in accordance with an order duly approved on July 20, 1981, which permitted the qualified voters of the community to adopt or reject proposed amendments to their Constitution and Bylaws.

As evidenced by the Certificate of Results of Election, signed by the members of the election board, the proposed amendments were duly adopted by the voters.

Amendments IV and V to the Constitution and Bylaws of the Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria in California, are hereby approved and returned for delivery to the community.

Sincerely yours,

(Sgd) Eddie V. Edwards

Acting Area Director

Enclosures

cc: Tribal Government Services (440), Washington, D.C.

FMuncy/RHarris:fm 9/14/81

cc: 076.2 Manchester

INITIALING COPY

RK 9-14-81

AMENDMENT

CONSTITUTION AND BYLAWS

MANCHESTER BAND OF POMO INDIANS

OF THE MANCHESTER RANCHERIA

CALIFORNIA

AMENDMENT VI

Article III, Section 2 - GOVERNING BODY - shall be amended in its entirety to read as follows:

> Section 2. All enrolled members of the Manchester Band of Pomo Indians who are eighteen (18) years of age, prior to, or on the date of any election are qualified voters at such election, regardless of residency. Absentee balloting will not be permitted except when voting upon amendments to the Constitution and Bylaws of the Band.

APPROVAL

I, Maurice W. Babby *, Area Director, of the Sacramento Area Office, Bureau of Indian Affairs, by virtue of the authority granted to the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 984), as amended, delegated to the Commissioner of Indian Affairs by 230 DM 1.1 and re-delegated to me by 10 BIAM 3 do hereby approve the foregoing Amendment VI to the Constitution and Bylaws of the Manchester Band of Pomo Indians of the Manchester-Point Arena Rancheria, California.*

Area Director

Sacramento, California

Date: FEB 13 1985